

12/01/2003

10:36

HITT GAINES, PC → 17038729306

NO. 458 P001

## HITT GAINES, P.C.

Intellectual Property Law & Related Matters

### FACSIMILE TRANSMISSION

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TO: Examiner Addison  
Group Art Unit 2834

FAX NO. (703) 872-9306 and (703) 746-4164

FROM: Greg H. Parker

RE: Serial No. 09/755,980  
Terminal Disclaimer and Transmittal Form

DATE: December 1, 2003

PAGES: 3 (including cover page)

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Mailing Address: P.O. Box 832570, Richardson, Texas 75083  
Street Address: 225 University Plaza, 275 West Campbell Road, Richardson, Texas 75080 U.S.A.  
Tel: (972) 480-8800 Fax: (972) 480-8865 firm@abstractassets.com

PTO/SB-26 (08-03)

Approved for use through 7/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

**CSAY-0014**

In re Application of: **James E. Flowers**  
 Application No.: **09/755,980**  
 Filed: **January 5, 2001**  
 For: **SYSTEM AND METHOD FOR DISSIPATING STATIC CHARGE GENERATED IN A SURFACE ACOUSTIC WAVE DEVICE**

The owner\*, Clairsay, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,580,197. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

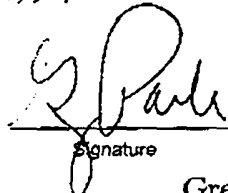
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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2. ☒ The undersigned is an attorney or agent of record.

 12-1-03  
 Signature Date

**Greg H. Parker**

Typed or printed name

(972) 480-8800

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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12/01/2003 10:36

HITT GAINES, PC → 17038729306

NO. 458 P003

PTO/SB/21 (03-03)

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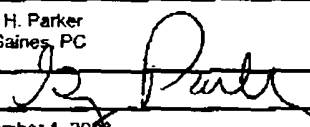
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|--|----------------------|------------------------|-----------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | Application Number   | 09/755,980             |           |
|  | Filing Date          | January 5, 2001        |           |
|  | First Named Inventor | James E. Flowers       |           |
|  | Art Unit             | 2834                   |           |
|  | Examiner Name        | K. Addison             |           |
| Total Number of Pages in This Submission   | 2                    | Attorney Docket Number | CSAY-0104 |

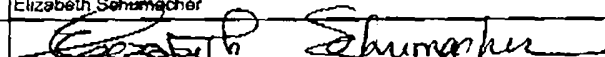
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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input checked="" type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to a Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks<br>The Director is hereby authorized to charge the fee of \$110.00, or credit any overpayment, to Deposit Account Number 08-2395.   |   |  |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                    |   |
|--------------------|---|
| Firm or Individual | Greg H. Parker<br>Hitt Gaines, PC   |
| Signature          |  |
| Date               | December 1, 2003  |

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